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4 **UNITED STATES DISTRICT COURT**

5 EASTERN DISTRICT OF CALIFORNIA

6
7 KEVIN L. MILLER,

8 Plaintiff,

9 v.

10 COMMISSIONER OF THE STATE OF
11 CALIFORNIA DEPARTMENT OF
CORRECTIONS, *et al.*,

12 Defendants.
13

Case No. 1:21-cv-00176-BAM (PC)

ORDER TO SUBMIT APPLICATION TO
PROCEED *IN FORMA PAUPERIS* OR PAY
FILING FEE WITHIN 45 DAYS

FORTY-FIVE (45) DAY DEADLINE

14 Plaintiff Kevin L. Miller ("Plaintiff") is a county jail inmate proceeding *pro se* in this civil
15 rights action under 42 U.S.C. § 1983. Plaintiff has not paid the \$402.00 filing fee, or submitted
16 an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.

17 Accordingly, IT IS HEREBY ORDERED that:

18 Within **forty-five (45) days** of the date of service of this order, Plaintiff shall submit the
19 attached application to proceed *in forma pauperis*, completed and signed, or in the alternative,
20 pay the \$402.00 filing fee for this action. **No requests for extension will be granted without a**
21 **showing of good cause. Failure to comply with this order will result in dismissal of this**
22 **action.**

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24 IT IS SO ORDERED.

25 Dated: February 16, 2021

/s/ Barbara A. McAuliffe

26 UNITED STATES MAGISTRATE JUDGE
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